

**Attorney Ron Van Norstrand:**

Your honor, you pointed out that I was rubbing my eyes in the back. It really wasn't because I am tired; it is because I'm just humbled by this entire proceeding. There is just no way I am going to be able to provide a closing to you that is as eloquent as even some of the testimony you have just heard. But I'll give it my best shot.

As I proposed in the opening, your Honor, I think the evidence has shown that the prosecution has failed to meet its burden to prove that the defendants acted with the intent to cause public inconvenience, annoyance or alarm.

If you look at the evidence it clearly demonstrates that, with respect to this focused time period after 4 o'clock on April 22nd of this year, the individuals did in fact lie down in the driveway and then arrests began at 4:11 on that day. Then by the prosecution's own witness statement, it was Senior Master Sergeant Rhinehardt who is the only reference of any of the witnesses to there being any public inconvenience, was his claim that at 4:18, seven minutes after the arrests began, he saw someone he believed was attempting to get on the base. So he clearly remembered, so many months ago, that something occurred at 4:18. But when I asked him what kind of vehicle it was, was it a car or a truck, what color was it, he couldn't remember. Then actually he conceded or acknowledged that for all he knew the vehicle was just slowing down to look at what was happening. So in terms of any, *any* evidence of public inconvenience, that's it. Now, we heard arguments, earlier by the prosecution, that there was some inference of activity because personnel on the base had to be redirected to another exit for 11 minutes longer than they had been. So I submit that they had not proven that element.

Furthermore, it was impossible for them to obstruct vehicular traffic on that driveway due to the security measures that both the law enforcement agencies and the airbase security had taken - setting up cones along the roadway with Molly Road, closing the gate, filling up the portions of the driveway with police cars, and having the gate and the fenced area manned by air national guard personnel. So then I think, it's how they failed to prove the elements of disorderly conduct.

And second, and here's where anything that I might say or argue, again, not being as eloquent as what you heard or what you're going to hear on closing. I think in some of your remarks or questions, you were alluding that you have to make a consideration of balancing laws. If that's your interpretation of your duty in this regard, I respectfully ask you to do two things.

One is that you give that decision or that consideration the same patient and thoughtful and thorough approach that you have clearly afforded to this trial. And furthermore, that when you're making that weighing or balancing, you must keep in mind that as the evidence has shown, the protestors, however you want to characterize the protestors, civil resisters, were acting and their intentions were driven by their understanding of international law, as it was delineated to you by Mr. Ramsey Clark, when he referenced the Constitution, Article 6, section 2. It clearly says that the Constitution and the laws of the United States, and all treaties made, or which shall be made, shall be the supreme law of the land. So that's the one the side of the scales, if you will, and the other side of the scales is whether or not the individuals were guilty of a disorderly conduct violation, consisting of an eleven minute demonstration that required airbase personnel to be redirected for eleven minutes, and hypothetically may have inconvenienced someone, the identity which we do not know. All I can do is reiterate that when you make your considerations and determinations that you keep in mind which side of those scales represents the supreme law of our land. Thank you.